

REMARKS

Claims 1-49, and 51-57 remain in this application. Claim 50 has been canceled, and claims 20-47, and 51-57 have been withdrawn from consideration. Reconsideration and allowance are respectfully requested for claims 1-19, and 48-49.

Applicants wish to thank Examiner Beisner for the courtesies extended to Applicants' representative during the personal interview of November 4, 2004. Applicants also thank the Examiner for the indications provided during the interview and confirmed by the Interview Summary dated November 5, 2004, that the objection to the specification has been overcome and that the rejection of claims 1-5, 16, and 19, under 35 U.S.C. § 102(b) based on Franciskovich et al. (U.S. Patent No. 5,603,899) has been withdrawn.

The specification has been amended at page 22 to correct minor typographical errors in reference characters. No new matter has been added.

In the Office Action, claim 48 was rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Chen et al. (U.S. Patent Application Publication No. 2002/0055111 A1). Amended independent claim 48 is directed to an analytical system for manipulating biological samples. The analytical system comprises a novel combination of features including a plate having a first surface and a second surface that opposes the first surface, and a plurality of through-holes, each through-hole extending from the first surface to the second surface and defining a first end opening at the first surface and a second end opening at the second surface. A plurality of species-immobilizing filters are each disposed within a respective one of the through-holes. A first sealing device is provided having a surface adapted to individually seal each first end opening of the plurality of

through-holes during the manipulation of the biological samples, the first sealing device comprising a tray and the tray comprising a plurality of recesses. A second sealing device is adapted to seal each second end opening of the plurality of through-holes.

As recognized in the Office Action, Chen et al. discloses sealing the openings using adhesive films. Chen et al. clearly does not disclose or suggest, however, an analytical system comprising a first sealing device having a surface adapted to individually seal each first end opening of a plurality of through-holes during the manipulation of biological samples, wherein the first sealing device comprises a tray and the tray comprises a plurality of recesses. Accordingly, and as argued during the personal interview, Applicants respectfully submit that claim 48 is novel and nonobvious in view of Chen et al. Withdrawal of the rejection of claim 48 is respectfully requested.

In the Office Action, claims 1, 3-9, and 16-18 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Franciskovich et al. in view of Nix et al. (U.S. Patent No. 6,402,950). Amended independent claim 1 is directed to a system for processing a plurality of fluid samples, the system comprising a novel combination of features that includes a plurality of biological sample purification devices, each device of said plurality of devices comprising a tubular body having a first end, a first end opening, a second end, a second end opening, a species-immobilizing filter held within the tubular body, and a removable cap adapted to seal the second end opening. A sealing device is also provided that includes a surface adapted to individually seal each of the first end openings of said plurality of devices during the processing of a plurality of fluid samples, the sealing device comprising a tray and the tray comprising a plurality of recesses.

As recognized in the Office Action, Franciskovich et al. does not disclose the use of a sealing device having a surface adapted to individually seal each of the first end openings. Nix et al. is relied upon for allegedly suggesting the use of a sealing film in place of caps in Franciskovich et al. for an allegedly known and allegedly expected result of providing an alternative means to seal the open ends of a plurality of separation devices. Applicants respectfully submit that neither Franciskovich et al. nor Nix et al. disclose or suggest a sealing device having a surface adapted to individually seal each of the first end openings of a plurality of devices during the processing of a plurality of fluid samples, let alone wherein the sealing device comprises a tray and the tray comprises a plurality of recesses. Accordingly, Applicants respectfully submit that claims 1, 3-9, and 16-18 are novel and nonobvious in view of Franciskovich et al. and Nix et al., whether taken alone or in combination. Withdrawal of the rejection under 35 U.S.C. § 103 of claims 1, 3-9, and 16-18, is respectfully requested.

In the Office Action, claims 1-9 and 16-19 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Franciskovich et al. in view of Sanadi (U.S. Patent No. 5,741,463). The Office Action recognizes that Franciskovich et al. fails to disclose the use of a sealing device having a surface adapted to individually seal each of the first end openings. Sanadi is relied upon for allegedly disclosing a well-known means for sealing the openings of an array of openings of an array of tubes. Applicants respectfully submit that neither Franciskovich et al. nor Sanadi discloses or suggests a sealing device having a surface adapted to individually seal each of the first end openings of a plurality of devices during the processing of a plurality of fluid samples, let alone wherein the sealing device comprises a tray and the tray comprises a plurality of recesses.

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Accordingly, Applicants respectfully submit that claims 1-9, and 16-19 are novel and nonobvious in view of Franciskovich et al. and Sanadi, whether taken alone or in combination. Withdrawal of the rejection under 35 U.S.C. § 103 of claims 1-9, and 16-19, is respectfully requested.

In the Office Action, claims 10, 11, and 13-15 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Franciskovich et al. in view of Bankier et al. (U.S. Patent 5,846,493). The reference of Bankier et al. is relied upon for a disclosure of providing an array of separation columns with a nucleic acid purification filter that can bind nucleic acids. Applicants respectfully submit that Bankier et al., however, does not overcome the above-noted deficiencies of Franciskovich et al. Neither Franciskovich et al. nor Bankier et al. disclose or suggest a sealing device having a surface adapted to individually seal each of the first end openings of a plurality of devices during the processing of a plurality of fluid samples, wherein the sealing device comprises a tray and the tray comprises a plurality of recesses therein. Accordingly, withdrawal of the rejection under 35 U.S.C. § 103 based on the combination of Franciskovich et al. and Bankier et al. is respectfully requested.

Claim 12 was rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Franciskovich et al. in view of Bankier et al. taken further in view of Leying et al. (U.S. Patent No. 5,955,271) and Sheer et al. (US Patent No. 5,124,041). The reference of Leying et al. is relied upon for allegedly disclosing that it was known in the art to purify and amplify nucleic acid in the same vessel. Sheer et al. is relied upon for allegedly disclosing that it was known to perform PCR in situ on the purification media of a device. Applicants respectfully submit, however, that neither Leying et al. nor Sheer et al. overcomes the above-noted deficiencies of Franciskovich et al., and none of

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the applied references discloses or suggests a sealing device having a surface adapted to individually seal each of the first end openings of a plurality of devices during the processing of a plurality of fluid samples, wherein the sealing device comprises a tray and the tray comprises a plurality of recesses. Accordingly, withdrawal of the rejection of claim 12 based on the combination of Franciskovich et al., Bankier et al., Leying et al., and Sheer et al., is respectfully requested.

Claims 48-50 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over Fernwood et al. (U.S. Patent No. 5,151,719) in view of Sanadi. Claim 50 has been canceled rendering the rejection of this claim moot. Applicants respectfully submit that neither Fernwood et al. nor Sanadi disclose or suggest an analytical system for manipulating biological samples comprising a first sealing device adapted to individually seal each first end opening of a plurality of through-holes during the manipulation of biological samples, wherein the first sealing device comprises a tray and the tray comprises a plurality of recesses. Accordingly, withdrawal of the rejection of claims 48-49 based on a combination of Fernwood et al. in view of Sanadi is respectfully requested.

In the Office Action, claims 48-50 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over McGraw et al. (U.S. Patent No. 5,368,823) in view of Sanadi. Claim 50 has been canceled rendering the rejection of this claim moot. The Office Action recognizes that McGraw et al. fails to disclose or suggest a first sealing device adapted to individually seal each of the first openings and a second sealing device adapted to seal each second end opening. Applicants respectfully submit that neither McGraw et al. nor Sanadi disclose or suggest an analytical system

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for manipulating biological samples, comprising a first sealing device adapted to individually seal each first end opening of a plurality of through-holes during the manipulation of biological samples, wherein the first sealing device comprises a tray and the tray comprises a plurality of recesses. Accordingly, withdrawal of the rejection of claims 48-49 under 35 U.S.C. § 103 based on the combination of McGraw et al. in view of Sanadi, is respectfully requested.

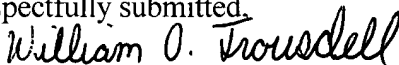
For at least the reasons set forth above, Applicants respectfully submit that claims 1-19, and 48-49 are in condition for allowance. Applicants respectfully request favorable reconsideration of the pending claims, withdrawal of the rejections, and prompt action in the form of a Notice of Allowance.

CONCLUSION

Should the Examiner deem that any further action by Applicants or Applicants' undersigned representative is desirable and/or necessary, the Examiner is invited to telephone the undersigned at the number set forth below.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,


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